



PATENT
Attorney Docket 046124-5042

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Tadamitsu Kishimoto *et al.*) Group Art Unit: 1642
)
Application No. 09/646,785) Examiner: Nickol, Gary
)
International Appl. Filing Date:)
March 23, 1999)
)
Date of National Stage Entry:)
February 16, 2001)
)
For: **Vascularization Inhibitors**)

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THIRD INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(e)

Pursuant to 37 C.F.R. § 1.56 and § 1.97(c) and (e), Applicants brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of either a Final Office Action or a Notice of Allowance for the above-referenced application.

Documents 2, 4, 5 and 6 were cited in a Supplementary Partial European Search Report which issued in a corresponding European PCT Application, European Application No. 99909307.3, not more than three months prior to the filing of this Information Disclosure Statement. Documents 1, 3, 7 and 8 were also cited in the same Supplementary Partial European Search Report and have previously been cited to the U.S. Patent and Trademark Office in the Information Disclosure Statement papers filed March 6, 2001 and February 16, 2001. Documents 1, 3, 7 and 8 are being cited again merely for the sake of completeness. Accordingly, Applicants do not believe that a fee is due with the filing of this paper. Copies of the listed

documents are attached along with a copy of the Supplementary Partial European Search Report dated April 15, 2003.

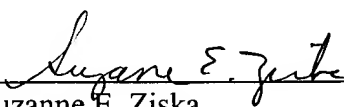
Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If the Examiner applies any one of the documents as prior art against any claim in the application, and Applicants determine that the cited document does not constitute prior art under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **May 23, 2003**
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Respectfully submitted,
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